

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

STATE OF COLORADO; STATE OF RHODE ISLAND; STATE OF CALIFORNIA; STATE OF MINNESOTA; STATE OF WASHINGTON; STATE OF ARIZONA; STATE OF CONNECTICUT; STATE OF DELAWARE; DISTRICT OF COLUMBIA; STATE OF HAWAII; STATE OF ILLINOIS; OFFICE OF THE GOVERNOR *ex rel.* Andy Beshear, in his official capacity as Governor of the COMMONWEALTH OF KENTUCKY; STATE OF MAINE; STATE OF MARYLAND; COMMONWEALTH OF MASSACHUSETTS; STATE OF MICHIGAN; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; JOSH SHAPIRO, in his official capacity as Governor of the COMMONWEALTH OF PENNSYLVANIA; and STATE OF WISCONSIN,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; ROBERT F. KENNEDY, JR., in his official capacity as Secretary of Health and Human Services,

Defendants.

Civil Action No. 25-cv-121-MSM-LDA

DECLARATION OF JAMIE LEGIER

Pursuant to 28 U.S.C. § 1746, I, Jamie Legier, declare as follows:

1. I am the Director of the Office of Grants Services at the Centers for Disease Control and Prevention (CDC), the United States Department of Health and Human Services (“HHS”).

2. In that capacity, my official duties include providing fiscal stewardship across the agency, and I serve as the agency’s principal advisor and liaison on all aspects of grants, including grants financial management activities.

3. I have experience with HHS’s record systems regarding grant awards issued by CDC, a sub-agency of HHS. These records are made in the course of regularly conducted business activity at or near the time of relevant events by a person with knowledge of these events.

4. In the course of preparing this declaration, I have examined the office records available to me regarding grants awarded by CDC.

5. At issue in this litigation are grants provided by CDC to prevent, prepare for, and mitigate against COVID-19. These grants were issued in the midst of the COVID-19 pandemic, utilizing supplemental funds appropriated through a number of appropriations acts passed by Congress in response to the COVID-19 pandemic.

6. CDC expeditiously provided the Plaintiff States with critical funding through a variety of grant programs intended to timely respond to the crisis caused by the COVID-19 Public Health Emergency (“PHE”).

7. Over the past five years, CDC has approved no cost extensions or

allowed carryover of funding through these grant programs at the request of a Plaintiff State as a recipient and upon agency review, which allowed the recipients additional time to use available funding. In the interim, the period of performance for a number of the grants also ended prior to March 24, 2025, many having remaining COVID-19 funds that had not been drawn down by the states, despite the availability of those funds.

8. The grants to Plaintiff States were terminated on March 24, 2025, for cause. The cause cited in the termination letters was that the COVID-19 pandemic was over. At the time of the grant terminations on March 24, 2025, approximately 74% of the original \$22 billion in CDC funding for COVID-19 grants to the states had either been spent or had expired, with a remaining balance of approximately \$5.8 billion.

9. At the time of the grant terminations, the period of performance for many of the original CDC grants had already expired, with remaining balances—totaling nearly \$79 million—that the states never drew down from available funds.

I HEREBY DECLARE TO THE BEST OF MY KNOWLEDGE AND BELIEF, UNDER PENALTY OF PERJURY under the laws of the United States of America, that the foregoing is true and correct.

EXECUTED this April 14, 2025, at Washington, DC.

/s/ Jamie Legier
Jamie Legier